

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

THOMSON REUTERS ENTERPRISE)	
CENTRE GMBH and WEST PUBLISHING)	
CORPORATION,)	
)	C.A. No. 20-613-SB
Plaintiffs/Counterdefendants,)	
)	JURY TRIAL DEMANDED
v.)	
)	
ROSS INTELLIGENCE INC.,)	PUBLIC VERSION
)	
Defendants/Counterclaimant.)	

**DEFENDANT’S OBJECTIONS TO EVIDENCE OFFERED IN SUPPORT OF
DEFENDANT’S OPPOSITION TO PLAINTIFFS’ MOTION FOR PARTIAL
SUMMARY JUDGMENT (NO. 1) ON COPYRIGHT INFRINGEMENT (D.I. 249, 250)**

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10570327 / 20516.00001

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Defendant ROSS Intelligence, Inc. hereby submits these Objections to Evidence Offered in Support of Defendant's Opposition to Plaintiffs' Motion for Partial Summary Judgment (No. 1) on Copyright Infringement (D.I. 249, 250). A party may object to material cited in support of a motion which "cannot be presented in a form that would be admissible in evidence." Fed. R. Civ. P. 56(c)(2); *Pamintuan v. Nanticoke Mem. Hosp.*, 192 F.3d 378, 387 n.13 (3d Cir. 1999); *Smith v. City of Allentown*, 589 F.3d 684, 693 (3d Cir. 2009). ROSS objects to the following:

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
D.I. 255-1, Ex. 13 at 236:9-237:2	D.I. 250 at 7.	Deposition of Jimoh Ovbiagele (Apr. 12, 2022)	<p>Mischaracterizes Testimony. Plaintiffs rely on this testimony to establish [REDACTED].</p> <p>However, the cited testimony [REDACTED].</p> <p>It merely describes [REDACTED].</p>	<p>Sustained</p> <p>_____</p> <p>Overruled</p> <p>_____</p>
D.I. 255-1, Ex. 15	D.I. 250 at 5.	Deposition of Tomas van der Heijden (Mar. 17, 2022)	<p>Foundation. Plaintiffs rely on this testimony to [REDACTED].</p> <p>However, Mr. van der Heijden is testifying [REDACTED].</p> <p>[REDACTED] in Ex. 53 and 72. The attachment to the</p>	<p>Sustained</p> <p>_____</p> <p>Overruled</p> <p>_____</p>

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			<p>email, [REDACTED], was not produced at the deposition.</p> <p>Mischaracterizes Testimony. Plaintiffs rely on this testimony to establish [REDACTED]</p> <p>[REDACTED]</p> <p>The testimony, however refers to an exhibit establishing [REDACTED]</p> <p>[REDACTED]</p> <p>(Declaration of Jacob Canter in Support of Defendant's Oppositions to Motions for Summary Judgment, Ex. 74), not that it received West's US terms. Terms of Service.</p>	
D.I. 255-1, Ex. 17, ¶¶ 31-36, 38	D.I. 250 at 9 & 12.	Opening Expert Report of Dr. L. Karl Branting (Aug. 1, 2022)	<p>Misstates Document. Plaintiffs rely on Branting's report to establish [REDACTED]</p>	<p>Sustained</p> <p>_____</p> <p>Overruled</p> <p>_____</p>

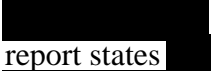

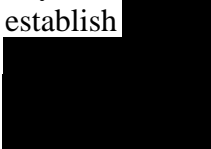




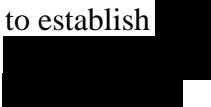
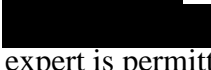
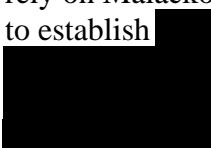
Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			<p>  The report states  </p>	
D.I. 255-1, Ex. 19, ¶¶ 25-27	D.I. 250 at 9 & 12.	Opening Expert Report of Barbara Frederiksen-Cross (Aug. 1, 2022)	<p> Misstates Document. Plaintiffs rely on the report to establish  </p> <p> . The report includes a  </p> <p>  It does not include  </p>	<p>Sustained</p> <p>_____</p> <p>Overruled</p> <p>_____</p>
D.I. 255-1, Ex. 22, ¶¶ 103-114.	D.I. 250 at 8.	Opening Expert Report of Dr. Jonathan Krein (Aug. 1, 2022)	<p> Improper Expert Opinion. Plaintiffs rely on Krein's report to establish  </p> <p>  An expert is permitted to offer their opinion, they cannot be used to establish the underlying facts. <i>See</i> FRE 702. </p>	<p>Sustained</p> <p>_____</p> <p>Overruled</p> <p>_____</p>
D.I. 255-3, Ex. 24, at 53	D.I. 250 at 9.	Opening Report of James Malackowski, (Aug. 1, 2022)	<p> Improper Expert Opinion. Plaintiffs rely on Malackowski to establish  </p>	<p>Sustained</p> <p>_____</p> <p>Overruled</p> <p>_____</p>

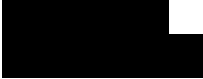








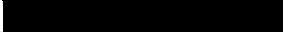
Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			 An expert is permitted to offer their opinion, they cannot be used to establish the underlying facts. <i>See</i> FRE 702.	
D.I. 255-3, Ex. 30	D.I. 250 at 8.	LEGALEASE-00078065 (Best Practices Guide for ROSS Intelligence)	<p>Misstates the Document. Plaintiffs rely on this document to establish </p>  <p> This exhibit, however, only establishes that </p> <p>. This document also specifically </p> 	<p>Sustained _____</p> <p>Overruled _____</p>
D.I. 255-3, Ex. 31	D.I. 250 at 8.	LEGALEASE-00093066 (Project Proposal)	<p>Foundation. Plaintiffs rely on this document to establish </p> 	<p>Sustained _____</p> <p>Overruled _____</p>

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			[REDACTED]. However, this exhibit [REDACTED] [REDACTED]	
D.I. 255-3, Ex. 38	D.I. 250 at 8.	R-LEGALEASE-00189134	Foundation. Plaintiffs rely on this document to establish [REDACTED] [REDACTED] However, this exhibit does not establish [REDACTED] [REDACTED]	Sustained _____ Overruled _____
D.I. 255-3, Ex. 53	D.I. 250 at 5.	ROSS-003390881 (email chain between ROSS and Dentons)	Misstates the Document. Plaintiffs rely on this document to establish [REDACTED] [REDACTED] This exhibit however establishes that [REDACTED] [REDACTED]	Sustained _____ Overruled _____

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			██████ (Declaration of Jacob Canter in Support of Defendant's Oppositions to Motions for Summary Judgment, Ex. 74), not that it received West's <i>US</i> terms.	
D.I. 255-4, Ex. 57	D.I. 250 at 9.	ROSS-003419784 (Mapping practice areas with the new Q&A data)	Foundation. Plaintiffs rely on this document to establish ██████████. This document contains no such admission.	Sustained _____ Overruled _____
D.I. 255-4, Ex. 59	D.I. 250 at 7.	ROSS-003487472 (email between Andrew Arruda and Jerome Zois)	Misstates Document. Plaintiffs rely on this testimony to establish that ██████████. The document does not say this.	Sustained _____ Overruled _____
D.I. 255-4, Ex. 61	D.I. 250 at 9.	ROSS-003658597 (Case Classification Document)	Foundation. Plaintiffs rely on this document to establish ██████████. This document contains no such admission.	Sustained _____ Overruled _____
D.I. 255-4, Ex. 68	D.I. 250 at 17.	ROSS-010164290	Misstates Document. Plaintiffs rely on this document to establish ██████████ ██████████ ██████████ ██████████ ██████████	Sustained _____ Overruled _____

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
D.I. 255-4, Ex. 72	D.I. 250 at 5.	ROSS-023032254 (email chain between ROSS and Dentons)	<p>Misstates the Document. Plaintiffs rely on this document to establish that [REDACTED]</p> <p>[REDACTED]. This exhibit however establishes that [REDACTED]</p> <p>[REDACTED] (Declaration of Jacob Canter in Support of Defendant's Oppositions to Motions for Summary Judgment, Ex. 74), not that it received West's <i>US</i> terms.</p>	<p>Sustained</p> <p>_____</p> <p>Overruled</p> <p>_____</p>
D.I. 255-11, Ex. 103	D.I. 250 at 9	TR-0836004 (LegalEase Use Spreadsheet)	<p>Misstates the Document. Plaintiff relies on this document to [REDACTED]</p> <p>[REDACTED]</p>	<p>Sustained</p> <p>_____</p> <p>Overruled</p> <p>_____</p>

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			<div data-bbox="930 268 1206 310" style="background-color: black; height: 20px; width: 100%;"></div> <p data-bbox="930 310 1206 384">This document, however, only</p> <div data-bbox="930 384 1206 604" style="background-color: black; height: 105px; width: 100%;"></div> <p data-bbox="930 636 1206 741">Foundation. Plaintiffs claim that this document</p> <div data-bbox="930 741 1206 825" style="background-color: black; height: 40px; width: 100%;"></div> <p data-bbox="930 825 1206 898">Nowhere is that established.</p>	

ROSS respectfully requests that the Court sustain the above objections under Fed. R. Civ. P. 56 and exclude the proffered evidence.

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Respectfully submitted,

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